

Hanford Air Operating Permit Modification

Remove the 324 and 327 Buildings in the
300 Area of the Hanford Site
from the Air Operating Permit

Responsiveness Summary



Department of Ecology
Nuclear Waste Program
3100 Port of Benton Blvd.
Richland, WA 99354

May 1, 2006

Publication Number 06-05-007

RESPONSIVENESS SUMMARY

Prepared by:

Doug Hendrickson

Washington State Department of Ecology

Nuclear Waste Program

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Introduction

The Washington State Department of Ecology (Ecology) encouraged the public to comment on the removal of the 324 and 327 Buildings in the 300 Area of the Hanford Site from the Air Operating Permit (AOP) during a public comment period held March 20 through April 21, 2006. The emissions from these buildings will no longer be regulated by the AOP. The permit modification will remove requirements for monitoring and control of radioactive air emissions at the 324 and 327 Buildings by the AOP. Instead, the air emissions will be regulated by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) in the new 300 Area removal action work plan. The work plan involves decontaminating and decommissioning the buildings, their stacks, and related facilities.

The following responsiveness summary addresses public comments received during the public comment period. Ecology received two comments on the proposed permit change. The comments focused on the following issues:

- U.S. Department of Energy's exemption from laws and regulations that would cause limited oversight of their regulation of the air emissions.
- Accuracy of captions and applicability of photographs in the focus sheet.

Responsiveness Summary

Comment #1:

If you put this performance operation limitation under CERCLA, isn't that effected by the fact that DOE is exempt from certain laws and regulation that pertain to most or all other non-governmental agencies/companies? If that is true, then the basis for this permit will be greatly eliminated by your proposal. I for one have lost all confidence in DOE and their ability to perform on most any task. If you are limiting your oversight of their work by any degree, then you are dropping the ball too.

Ecology's Response:

Ecology offers the following explanation.

There are indeed some portions of Federal law from which DOE is exempt. OSHA is an example.

The action proposed is to discontinue permits and approvals to emit radionuclides from the 324 & 327 operations stacks. The operations under the air permits will have fully discontinued before the permits are dropped. Existing licenses issued by the Department of Health already state that no monitoring is required if no operations occur and no operational emissions exist. In this fashion and with this action, the DOE licenses to operate these sources will be permanently withdrawn and the State will no longer retain direct enforcement responsibility.

The decontamination, decommissioning, and demolition (D&D&D) of the buildings have been studied for their potential to release radionuclides. The removal action work plan (RAWP) controls the D&D&D activities specifying how contamination release will be inhibited. The air

monitoring plan (AMP) is part of the RAWP and specifies monitoring requirements. The RAWP & AMP become the enforceable protective tools during the D&D&D through their approval as CERCLA documentation. Both control and monitoring requirements in the RAWP and AMP have been drawn from the appropriate radionuclide emission standards. Under CERCLA, DOE does not have to file administrative paperwork that does not directly effect the removal action. In the performance of the CERCLA work, Health, Ecology, and EPA conduct oversight to assure that the requirements of the CERCLA documentation are met.

Comment #2: *(telephone message)*

On mailing list for AOP permit modification:

- The picture caption is wrong, it should be 327.
- The picture (06-05-001) on the front does not have as much impact as the commentator would wish. Prefer showing 324/327 explicitly and possibly aerially.

Ecology's Response:

Ecology Agrees.

- Upon identification of referential error in the caption of the photograph on March 16, 2006, the web-based files were corrected.
 - Ecology believes the objective of notice of the pertinent facility and license actions was met with the distributed notice. Within future comparable notices, Ecology will strive to locate more compelling imagery if available.
-

Comment #3:

Thank you for the opportunity to provide comment on the Hanford Site Air Operating Permit (AOP). My comment is general, but global. I request that general condition 4.5 of the Hanford AOP be modified to include and address Washington Administrative Code (WAC) 173-400-040(5) standards as reporting requirements. Specifically, general condition 4.5 "Permit Deviation Reporting" should require the permittee to report emissions which are detrimental to persons or property. Specifically, general condition 4.5 should reference WAC 173-400-040(5) and require that any and all air emissions that have caused detriment to the health, safety, or welfare of any person be reported. Also, the general condition should require that any and all air emissions that have caused damage to property or business be reported.

Ecology's Response:

Ecology offers the following explanation.

The proposed action of removing licenses from the AOP upon transition to a CERCLA removal action does not open the balance of the AOP to comment. Thus, your comment has no bearing on this action and cannot be addressed in this action.

Your comment will be retained and addressed within the AOP renewal which will be open for public comment in June and July 2006.

Summary of Public Involvement Actions

No workshops or hearings were held for this comment period. A focus sheet was mailed to approximately 900 highly interested members of the public. An email to the Hanford Listserv announced the comment period and directed members of the public to the Ecology website, www.ecy.wa.gov/nwp/programs/commentperiods.htm, for more information. Notice of the comment period was placed in the Ecology events calendar. A public announcement classified advertisement was placed in the Tri-City Herald on the Sunday before the comment period started. The public information repositories received:

- Focus Sheet
- Cover Letter
- Engineering Evaluation/Cost Analysis #2 for the 300 Area
- Notice of Approval for the 324 Building
- Notice of Approval for the 327 Building

Attachments

Comment letters
Public Announcement Classified Ad
Focus Sheet
Final Letter of Decision

-----Original Message-----

From: Mr Dale Wallace [mailto:dwallace06@verizon.net]

Sent: Friday, March 17, 2006 12:09 PM

To: Hendrickson, Douglas

Cc: 's & v wallace'; goglesbee@charter.net

Subject: FW: Ecology: Hanford Site Air Operating Permit Modification Comment Period

Doug Hendrickson
Washington State Department of Ecology,

If you put this performance operation limitation under CERCLA, isn't that effected by the fact that DOE is exempt from certain laws and regulation that pertain to most or all other non-governmental agencies/companies? If that is true, then the basis for this permit will be greatly eliminated by your proposal. I for one have lost all confidence in DOE and their ability to perform on most any task. If you are limiting your oversight of their work by any degree, then you are dropping the ball too.

Dale E. Wallace

[Dwallace06@verizon.net](mailto:dwallace06@verizon.net)

509/627-2147

RECEIVED

APR 24 2006

Department of Ecology
NWP - Richland

Mr. Doug Hendrickson
Washington State Department of Ecology
Nuclear Waste Program
3100 Port of Benton Blvd.
Richland, WA 99354

April 21, 2006

RE: Hanford Site Air Operating Permit Modification


Dear Mr. Hendrickson:

Thank you for the opportunity to provide comment on the Hanford Site Air Operating Permit (AOP). My comment is general, but global. I request that general condition 4.5 of the Hanford AOP be modified to include and address Washington Administrative Code (WAC) 173-400-040(5) standards as reporting requirements. Specifically, general condition 4.5 "Permit Deviation Reporting" should require the permittee to report emissions which are detrimental to persons or property. Specifically, general condition 4.5 should reference WAC 173-400-040(5) and require that any and all air emissions that have caused detriment to the health, safety, or welfare of any person be reported. Also, the general condition should require that any and all air emissions that have caused damage to property or business be reported.

If you have any questions or would like to discuss this comment, I may be reached by telephone at 509/627-1162.

In advance, thank you for your consideration.

Sincerely,



Alisa D. Huckaby
1524 Ridgeview Ct.
Richland, WA 99352

Copy: Todd Martin, HAB

**Comment Period for Hanford Air Operating Permit Modification
March 20 – April 21, 2006**

The Washington State Department of Ecology would like your input on a significant modification to the Hanford Site Air Operating Permit (AOP). The modification will remove the 324 and 327 buildings in the 300 Area of the Hanford Site from the AOP. The AOP will no longer regulate the emissions from these buildings. Ecology will submit a draft permit modification for public comment from March 20 through April 21, 2006. The permit holder is USDOE - RL, P.O. Box 550, Richland, WA 99352

Copies of the modification are available for review by appointment, 509-372-7920, at the Department of Ecology Richland Office Library, 3100 Port of Benton Blvd., Richland, WA. A focus sheet and related materials will be available at www.ecy.wa.gov/programs/nwp/commentperiods.htm during the comment period.

Contact Douglas Hendrickson to make a comment or to receive more information. Please submit all comments in writing.

3100 Port of Benton Blvd.
Richland, WA 99354
509-372-7983 phone
509-372-7971 fax
dohe461@ecy.wa.gov

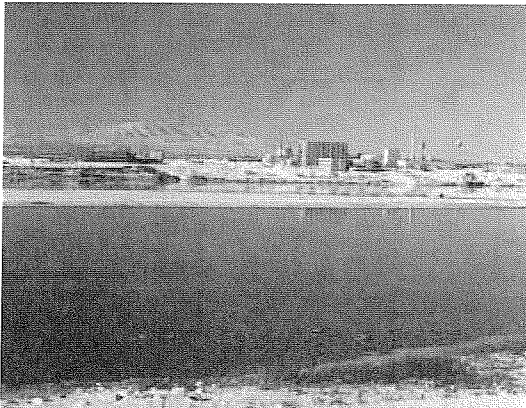
All comments received during the public comment period will be considered and responded to when Ecology issues the final permit decision on whether to approve modification of the permit. No public meeting is scheduled at this time; however, Ecology will consider requests for a hearing. Please contact Tanya Williams at 509-372-7883 or tawi461@ecy.wa.gov to request a public hearing.



Public Comment Period

Hanford Site Air Operating Permit Modification

March 20 through April 21, 2006



A view of the 300 Area across the Columbia River

The Washington State Department of Ecology seeks your input on a significant modification to the Hanford Site Air Operating Permit (AOP). These changes will remove the 324 and 327 Buildings in the 300 Area of the Hanford Site from the AOP. The emissions from these buildings will no longer be regulated by the AOP. Ecology will submit a draft permit modification for public comment. The public comment period will run from March 20 through April 21, 2006.

Background

The 300 Area was the center for many Hanford Site research and development projects. The 324 and 327 Buildings were constructed as research and laboratory facilities to support defense and energy research. The permit holder is the U.S. Department of Energy - Richland Operations Office, PO Box 550, Richland, WA 99352.

How will the Hanford Site Air Operating Permit change?

The permit modification will remove requirements for monitoring and control of radioactive air emissions at the 324 and 327 Buildings. Instead, the air emissions will be regulated by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) in the new 300 Area removal action work plan. The work plan involves decontaminating and decommissioning the buildings, their stacks, and related facilities.

How do I view related documents?

The proposed modifications to the AOP can be viewed online at <http://www.ecy.wa.gov/programs/nwp/commentperiods.htm>. During the comment period, the modifications are available for public review Monday – Friday, 9 a.m. – 12 p.m. and 1 p.m. – 4 p.m., at the Department of Ecology Nuclear Waste Program Library, located at 3100 Port of Benton Blvd., Richland, WA. To make an appointment to review the documents call (509) 372-7920. The AOP can also be viewed at one of the public information repositories listed below.

Portland

Portland State University
Branford Price and Miller Library
934 SW Harrison
Attn: Judy Andrews (503) 725-4126

Richland

U.S. Dept. of Energy Reading Room
Consolidated Information Center, Room 101-L
2770 University Dr.
Attn: Janice Parthree (509) 372-7443

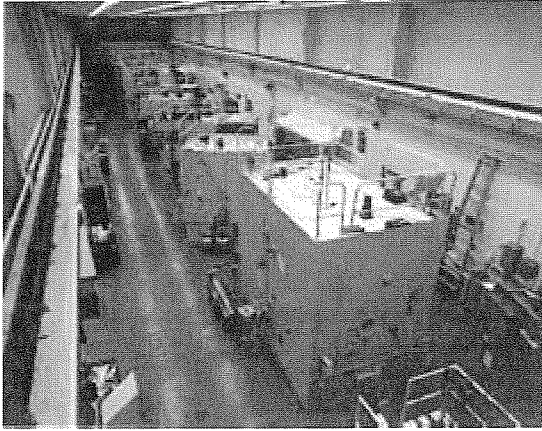
Seattle

University of Washington
Suzzallo Library
Government Publications Division
Attn: Eleanor Chase (206) 543-4664

Spokane

Gonzaga University
Foley Center
E. 502 Boone
Attn: Linda Pierce (509) 323-6110

If you need this publication in an alternate format, please contact the Nuclear Waste Program at (509) 372-7950. For persons with a speech or hearing impairment call 711 for relay service or (800) 833-6388 for TTY.



Building 327 in the 300 Area

How do I make a comment?

Please send all comments in writing to:

Doug Hendrickson
Washington State Department of Ecology
Nuclear Waste Program
3100 Port of Benton Blvd.
Richland, WA 99354
(509) 372-7983 phone
(509) 372-7971 fax
dohe461@ecy.wa.gov

Ecology will consider and respond to all comments received during the public comment period. No public hearing is scheduled at this time; however, Ecology will consider requests for a hearing. Please contact Tanya Williams at (509) 372-7883 or tawi461@ecy.wa.gov to request a public hearing.

Comment Period

March 20 through April 21, 2006

Hanford Site Air Operating Permit Modification

Topic: Remove the 324 and 327 Buildings in the 300 Area of the Hanford Site from the Air Operating Permit.

Tell Us What You Think!

You are invited to participate in the decision to modify the Hanford Site Air Operating Permit. Public comments are critical to Ecology's decision making process. Look inside to learn more about the proposed changes to the Hanford Site Air Operating Permit.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
3100 Port of Benton Blvd • Richland, WA 99352 • (509) 372-7950

April 26, 2006

Mr. Keith A. Klein, Manager
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A7-50
Richland, Washington 99352

Re: Withdrawal of 324/327 Stacks from Hanford Air Operating Permit

Dear Mr. Klein:

Between March 20 and April 21, 2006, the Department of Ecology conducted a public notice and comment period to remove three source licenses from the Hanford Air Operating Permit (AOP) with facility decontamination, decommissioning, and demolition. The documents reviewed during the comment period included the Engineering Evaluation/Cost Analysis #2 for the 300 Area (DOE/RL-2005-84, Rev. 0) and radioactive air emissions licenses EP-324-01-S (Emission Unit ID 360), EP-327-01-S (Emission Unit ID 407), and EP-327-02-V (Emission Unit ID 408).

Ecology received no adverse comment during this review period. Ecology approves the withdrawal of these source licenses from the AOP contingent upon the following conditions:

1. Operations permitted within the approved subject licenses have ceased.
2. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) action will encompass the entire scope of facility activities and emissions permitted within the licenses.
3. Physical fieldwork of the CERCLA action has commenced.
4. The United States Department of Energy-Richland Operations Office must submit a Notice of fieldwork commencement (subject to verification) to Ecology and provide a copy to the Washington State Department of Health.



Mr. Keith A. Klein
April 26, 2006
Page 2

We look forward to the start of this fieldwork to remove the facilities. The permit withdrawal will be effective upon submittal of the Notice of Condition #4 to the following addresses.

Submit Notice to:

Jane A. Hedges
Washington State Department of Ecology
3100 Port of Benton Boulevard
Richland, Washington 99354

Copy Notice Submittal to:

Allen W. Conklin
Office of Radiation Protection
Washington State Department of Health
P.O. Box 47827
Olympia, Washington 98504-7827

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Hendrickson", written over a horizontal line.

Doug Hendrickson, P.E.
Lead Air Engineer
Nuclear Waste Program

DH:pll

cc: Davis Zhen, EPA
Rudolph Guercia, USDOE
Joel Hebdon, USDOE
Woody Russell, USDOE
Jim Golden, WCH
Allen W. Conklin, DOH
Stuart Harris, CTUIR
Gabriel Bohnee, NPT
Russell Jim, YN
Todd Martin, HAB
Ken Niles, ODOE
Administrative Record
Environmental Portal